THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 2914 of 2001

DATED: 29.09.2005

Between:

P.S.R.. Sabhapathy s/o LATE Sri p.. Rayappa, AAGED 50 YEARS,

OCC: secretary and correspondent

R/o 2-8-303, NGOS colony of Holy Cross Educational Association, Waddepally, Warangal District.

..PETITIONER

And

The Director of School Education, Andhra Pradesh, Hyderrabad

And two others.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 2914 of 2001

O R D E R

This writ petition is filed questioning the rejection of 'No objection certificate' for establishment of B.Ed. College in Parkal Division, Warangal District.

It is the case of the petitioner that in spite of complying all the required conditions, the respondents have rejected the application of the petitioner without assigning any valid reasons. But in the counter affidavit filed on behalf of the respondents, it is stated that as per the guidelines, which existed then, the requirement shall possess 2.00 hectares of land which is equivalent to 5 acres in the name of the society as owner on the last date of receipt of applications i.e. 24.05.2001, and also to deposit a corpus fund of Rs. 5.00 lakhs in form of FDR or NSC. It is stated in the affidavit that on physical verification by a team constituted for the purpose and also by the District Collector concerned it was found that the petitioner has possessed 2.00 hectars of land, but however, on actual measurement the land possessed by the petitioner was found to be Ac.3.22 guntas and he also did not deposit the corpus fund of Rs. 5 lakhs.

In view of the counter-affidavit, it is apparent that the petitioner has not fulfilled the required conditions. In that view of the matter, no objection certificate sought for is rightly rejected. I do not find any ground in this writ petition. But, however, if the petitioner fulfils the required conditions, it is open for him to apply in accordance with law.

Subject to the above direction, this writ petition is dismissed. No order as to costs.

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R. SUBHASH REDDY,J

29th September, 2005

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